



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q67421

Hiroyasu KUMAMOTO, et al.

Appln. No.: 10/006,137

Group Art Unit: 1761

Confirmation No.: 1724

Examiner: Leslie A. Wong

Filed: December 10, 2001

For: WARMING COMPOSITION FOR FOOD AND DRINK OR FOR ORAL CARE  
PREPARATION

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

1. U.S. Patent No. 5,753,609, issued May 19, 1998, to Nakatsu et al.
2. U.S. Patent No. 6,306,429, issued October 23, 2001, to Bealin-Kelly.
3. U.S. Patent No. 5,628,986, issued May 13, 1997, to Sanker et al.
4. U.S. Patent No. 4,866,210, issued September 12, 1989, to Hoelderich et al.
5. WO 98/47483, published October 29, 1998, to The Proctor and Gamble Company.
6. WO 97/02273, published January 23, 1997, to The Proctor and Gamble Company.
7. EP 0988852 A2, published March 29, 2000, to Takasago International Corporation.

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8. JP 2000-026260, published January 25, 2000, to Earth Seiyaku KK.
9. JP 2002-220361, published August 9, 2002, to Japan Energy Corp.
10. GB 762 421, published November 28, 1956, to Rheinpreussen AG.
11. CH 272 568, published December 31, 1950, to Firmehich & Co.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue

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U.S. Appln. No.: 10/006,137

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

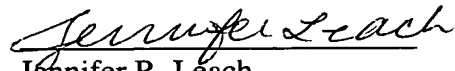
Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

  
Jennifer R. Leach  
Registration No. 54,257

Date: May 19, 2004

Substitute for Form 1449 A &amp; B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/006,137
Confirmation Number	1724
Filing Date	December 10, 2001
First Named Inventor	Hiroyasu KUMAMOTO
Art Unit	1761
Examiner Name	Leslie A. Wong
Attorney Docket Number	Q67421

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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 5,753,609		05-19-1998	Nakatsu et al.
		US 6,306,429		10-23-2001	Bealin-Kelly
		US 5,628,986		05-13-1997	Sanker et al.
		US 4,866,210		9-12-1989	Helderich et al.
		US			
		US			
		US			
		US			
		US			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	98/47483		11-29-1998	The Proctor and Gamble Company	
		WO	97/02273		01-23-1997	The Proctor and Gamble Company	
		EP	0988852	A2	03-29-2000	Takasago International Corporation	
		JP	2000-026260		01-25-2000	Earth Seiyaku KK	
		JP	2002-220361	A	08-09-2002	Japan Energy Corp.	
		GB	762421	A	11-28-1956	Rheinpreussen AG	
		CH	272568	A	12-21-1950	Firmenich & Co.	

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.